

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,  
Plaintiff,  
vs.  
CARLOS JAVIER LOPEZ,  
Defendant.

Case No.: 2:04-cr-00375-RLH-GWF

## **SCHEDULING ORDER**

On September 20, 2013, the Court implemented the Mandate of the United States Court of Appeals for the Ninth Circuit Vacating and Remanding the Court’s Order dated July 19, 2012. The Ninth Circuit remanded to this Court for further proceedings regarding the retroactive application of sentencing guidelines to Defendant’s crack cocaine offenses under 18 U.S.C. § 3582. Before the appeal, counsel for Defendant initially filed a Notice of Intent Not to Proceed with the original motion, but on appeal determined the calculations underlying that decision were conducted in error.

IT IS THEREFORE ORDERED that Defendant shall have 60 days to file a new Motion to Reduce Sentence. The Government shall then have 45 days to file a Response and Defendant shall have 20 days thereafter to file a Reply. The parties should include in their briefs the calculation of that part of the sentence that should be reduced and also a calculation of the total sentence after any reduction.

Dated: September 26, 2013.

  
**ROGER L. HUNT**  
United States District Judge